

City Council Special and Regular Meetings, August 13, 2002

Twin Pines Senior and Community Center, 1223 Ralston Avenue

SPECIAL MEETING

STUDY SESSION: 6:30 P.M.

COUNCILMEMBERS PRESENT: Metropulos, Cook, Bauer, Warden

COUNCILMEMBERS ABSENT: Wright

Staff Present: City Manager Kersnar, Acting City Attorney Ruebens,
Community Development Director Ewing, Deputy City Clerk Harrington

Housing Element Update

Community Development Director Ewing stated the Draft Housing Element for 2001-2006 was prepared by staff and Cotton, Bridges and Associates. The regional housing needs determination is a projection of housing needs for Belmont derived from statewide population predictions that are aggregated down to the City level. The City's "fair share" of projected growth was 317 units through 2006 broken out by income range. The city has to show how the 317 units are planned for and make provisions for them to be developed by others or by the city.

The State Housing and Community Development (HCD) Certification is a legal requirement for the General Plan. Community Development Director Ewing noted that Belmont was pre-certified before the Draft Housing Element was brought to Council. State comments were incorporated into the Draft Housing Element. The HCD sent a letter stating that if the current Draft Housing Element was adopted by Council it would be deemed certified by the HCD.

Community Development Director Ewing briefly outlined the Draft Housing Element:

Section 1. Introduction

Section 2. Housing Needs Assessment looked at population, demographics, current housing characteristics, conditions of housing affordability and special needs housing.

Section 3. Housing Constraints the State requires the City to look at its' own governmental constraints, non-governmental constraints (land, labor and capital), environmental and infrastructure constraints to the supply of housing. He noted that a new requirement of State law was to review constraints to housing for disabled persons.

Section 4. Housing Resources reviewed available land and financial resources within Belmont to accommodate new units. He stated they looked at underdeveloped and vacant sites that might be redeveloped at full density under the zoning ordinance.

Section 5. Housing Plan reviewed past accomplishments, goals and proposed programs to accommodate 317 units.

Community Development Director Ewing noted the real target of the Housing Element was to show that Belmont could accommodate its' fair share under state law.

Community Development Director Ewing stated the creation of senior housing projects and student housing at Notre Dame de Namur University provided the largest share of low and very low income

housing. Multi family units and single family units would accommodate the moderate and above moderate housing.

Community Development Director Ewing noted that the draft negative declaration had been circulated and the draft housing element would not have a significant environmental effect.

In response to C. Bauer, Community Development Director Ewing stated he would review any changes that Council might make with the consultant to determine if the housing element would have to be recirculated. He stated that once adopted, even if there were no changes, the housing element would be returned to HCD for final review.

In response to C. Cook's questions:

Community Development Director Ewing stated that any multi-family development that occurs within the Redevelopment Project is subject de facto to inclusionary zoning by state redevelopment law. The affordable units were mandated for 20% of the project in the redevelopment area.

Mr. Hoffman stated he did not receive a definitive answer from HCD regarding illegal secondary dwelling units.

In response to C. Warden, Community Development Director Ewing stated that pending SB910 the HCD could have the power to revisit the housing element or other elements of the general plan.

Community Development Director Ewing stated existing fees were reviewed and amended to reflect the actual cost of development review, it would not require a review of the housing element. If a new fee were developed, analysis would be needed to determine if it was a governmental constraint.

Mr. Hoffman concurred that state law regulated how much a city could charge for development processing fees. Impact fees were not a particular problem, however if they were to provide a problem for affordable housing development, the city could have a provision to the zoning code that allowed in conjunction with the density bonus project a waiver or reduction for some of the impact fees. The market rate projects would pay full fees, the affordable projects would receive a waiver.

C. Bauer asked what the downside was for not meeting the goals of the element.

Community Development Director Ewing clarified that the State did not expect every unit to be built and would not punish the City. The Housing Element ensured that the city had plans in place that would allow the units to be built if the market responded.

Mr. Hoffman stated under any circumstance the city could be sued regarding the housing element. Without a certified housing element the city would have to prove the housing element was in compliance. If the state certified the housing element, then any potential developer would have to prove that the housing element was out of compliance.

Community Development Director Ewing recommended that the City Council adopt the Housing Element at the public hearing scheduled for August 27.

ADJOURNMENT at this time, being 7:07 P.M., this Study Session was adjourned

This meeting was audio and video-recorded.

Tape No. 532

George Metropulos

Clerk Pro Tem

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REGULAR MEETING - 8:10 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Metropulos, Cook, Bauer, Wright, Warden

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, Acting City Attorney Ruebens, Community Development Director Ewing, Public Works Director Davis, Finance Director Fil, Police Chief Janke, IT Manager Harnish, Deputy City Clerk Harrington.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Ms. Lee, 2375 Fallingtree Drive, San Jose spoke about the global persecution of Falun Gong practitioners and her experiences in China.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

C. Cook congratulated City on meeting the recycling goals.

CONSENT CALENDAR

Approval of meeting minutes: Special and Regular meetings June 11, 2002.

Approval of Warrant List Dated: July 19 in total amount of \$278,543.29 and dated July 26 in total amount of \$591,881.39 and combined total from July 31 and August 2 in total amount of \$552,305.35.

Written Communication 1). Rec. 7/24 San Bruno's Motion for Extension of Time, CSR-5929-A KFTL (TV) Stockton; 2). Rec. 7/25 PacificCorp's (U901-E) Plan for Inspections, Record Keeping and Reporting D.97-03-070, I.95-02-015/R.96-11-004; 3). Rec. 7/26 RE. Model Cellular tower Leases, Zoning Ord, Model Cable Customer Service Ord, Model Cable TV Franchises; 4). Rec. 8/1 San Bruno's comments in response to Family Stations Inc.'s petition for modification of DMA KFTL (TV) Stockton, CA CSR No. 5929-A; 5). Rec. 8/1 Declaration of E.D. Johnson in support of San Bruno's response to Family Station Inc.'s petition for modification of DMA KFTL (TV) Stockton; 6). Rec. 8/7 Applic. of M.S. Mojaddadi of United Express Airport Shuttle.

Motion to approve Claims Management Report.

CONTINUED Resolution approving the award of Contract to for the amount of \$___for the Alameda de las Pulgas, Miller, Monte Cresta Storm Drainage Improvement Project, City Contract No. 434. CONTINUED TO 8/27/02

Resolution No. 9292 authorizing issuance of a Purchase Order to CRW Associates in the amount of \$7,250.00 for Annual Technical Support and Software Maintenance Services for the period of July 1, 2002 through June 30, 2003.

Resolution No. 9293 authorizing issuance of a Purchase Order to Belmont Systems in the Amount of \$32,400.00 for Computer Related Systems.

Resolution No. 9294 approving the First Amendment to a Professional Services Agreement with Walter Levison, Consulting Arborist to provide arborist consulting services.

Resolution No. 9295 authorizing the Expenditure of \$10,000 for Improvement to the San Mateo County Police Academy at the College of San Mateo.

Resolution No. 9296 approving Plans and Specifications, authorizing advertisement for sealed bids, approving award of contract to the lowest responsible bidder for an amount not to exceed \$155,000, and authorizing the City Manager to complete a contract for Sanitary Sewer Rehabilitation, Basins 9, 11, 12 and 15 Spot Repair, City Contract Number 414.

Resolution No. 9297 establishing State Route 101 Bicycle/Pedestrian Bridge and Bikeway as a connector route to the San Francisco Bay Trail and Ridge Trail Systems.

Resolution No. 9298 prohibiting vehicles in excess of six (6) feet in height from parking along the south side of Emmett Avenue between El Camino Real and Sixth Avenue.

Resolution No. 9299 declaring as surplus of vehicles and equipment and authorizing sale at public auction and disposal.

Resolution No. 9300 approving the Purchase of 7 Vehicles from S&C Ford for an Amount not to Exceed \$184,052.29; 1 Vehicle from Serramonte Ford for an Amount not to Exceed \$16,074.01 and 1 Radar Trailer from Statewide Safety & Signs, Inc. for an Amount not to Exceed \$17,731.24

Resolution No. 9301 supporting the extension of the San Mateo County Abandoned Vehicle Service Authority until April 2012.

Resolution No. 9302 authorizing the acceptance of a Billing Formula to Cities from the County of San Mateo for Animal control Services based on service levels.

Resolution No. 9303 authorizing a First Amendment to the RCN Franchise Agreement.

Resolution No. 9304 approving Plans and Specifications, authorizing Advertisement for sealed bids, approving award of contract to the Lowest Responsible Bidder for an amount not to exceed \$390,000 and authorizing the City Manager to complete a contract for Masonic Way Safe Routes to School Project, City Contract Number 433A.

Consent Calendar approved on motion by C. Wright, seconded by C. Bauer, and approved unanimously, by show of hands.

OLD BUSINESS

Consideration of a letter to Board of Supervisors regarding the Draft Environmental Impact Report for modernization of San Carlos Airport.

Community Development Director Ewing stated staff researched the Environmental Impact Report and project description and identified issues that were germane to the environmental analysis which were included in the draft letter.

C. Wright stated he thought public concern was the proposed 300-foot overruns at each end of the runway for safety purposes and the possibility of larger aircraft utilizing them in the future. He noted it was a very short runway. He further stated that out of the 57 airports with towers in California, only San Carlos and Palo Alto had runways of less than 3,000 feet. Of the 358 non-towered airports 4 were 2,600 feet or less. If you combined all 415 airports in California only 5 were as short or shorter than San Carlos. He thought there was value in the extensions.

C. Warden and C. Cook stated their concern with the amount of air traffic that was predicted for that airport in the next 10 to 20 years.

C. Bauer stated that for safety purposes he agreed with the extension.

Action: On motion by C. Cook, seconded by C. Warden and approved, by show of hands 3/2 (Wright, Bauer No) to send the letter as presented.

NEW BUSINESS

Report on False Alarm Fees.

Police Chief Janke stated the Council enacted a False Alarm Ordinance in 1990 which required premises with an alarm to renew their permits annually at a rate of \$20. There were 750 alarm permits in Belmont. Fire alarms are not included in this ordinance. The ordinance allows the owner of an alarm a total of 3 false alarm activations in a calendar year. The fee schedule is \$50 for the 4th, \$75 for the 5th and \$100 for each subsequent alarm these fees have not changed since 1990. He noted that the Police Department responded to 913 false alarms in calendar year 2001.

Council discussed the Fees and concurred not to change them at this time.

8:30 P.M. Recess

8:36 P.M. Resume

Consideration of a Resolution amending Procedures for Preliminary Design Review to allow Fee Credit against Formal Applications.

Community Development Director Ewing stated per Council direction staff researched existing applications and determined that only two existing applications would merit a Design Review. He recommended a credit on applications filed before August 13.

Action: On motion by C. Metropulos, seconded by C. Bauer and approved unanimously, by show of hands to adopt:

Resolution No. 9305 amending procedures for Preliminary Design Review to allow fee credit against formal applications.

Discussion and Direction regarding Comprehensive Planning for the Downtown Area. (Letter from Planning Commission regarding Downtown Development).

City Manager Kersnar stated the City Council received a letter from the Planning Commission regarding redevelopment issues of downtown around Ralston Avenue at Old County Road and El Camino Real intersections. City Manager Kersnar stated the fundamental question in the letter was should the City undertake comprehensive planning of the downtown area. He noted that historically the city has planned incrementally for the area, focusing on specific projects. City Manager Kersnar asked Council if they wanted to

consider changing the fundamental character of the downtown through a comprehensive planning process. He stated the General Plan update would include a visioning process that could be used for a comprehensive planning process.

Mr. Mathewson, 1820 Oak Knoll Drive Chair of Planning Commission, stated the letter was approved by the Planning Commission, which would like a comprehensive plan for the downtown area. He stated the Downtown Specific Plan and the work of the Downtown Task Force could be used as the basis for the proposed General Plan Update. He stated there was no sense of downtown and that Block 4 needed to be revitalized. Mr. Mathewson suggested placing retail or restaurants around the train station.

In response to Council questions, Mr. Mathewson stated that a Master Plan could be created for Block 4, RFP's issued for the Pink Building Site or a master plan could include those as major components. He thought a consultant could suggest different scenarios to develop downtown in a cohesive manner as a destination point.

In response to C. Wright's question, Mr. Mathewson stated they would recommend rethinking the plaza project at the old pink building site. A more effective use of the RDA money could be used at that site.

C. Cook stated a committee spent a considerable amount of time developing a plan for the plaza project. Mr. Mathewson suggested modifying the plan, making the park smaller and enhance the tax base with a business there.

City Manager Kersnar clarified that the Plaza project was not funded in the budget. He stated two grants were applied for, but were not approved. He did not know how changing the Plaza Project would affect future grant submissions.

Mr. Lawhern 408 Hiller, stated he patronized downtown businesses and discouraged negative public comments regarding the downtown area. He stated the Plaza project was planned by a diverse citizens group and had been adopted by the City Council. He understood that the grant process for the MTC was ongoing and that Belmont would remain on the list for consideration in future years. Mr. Lawhern stated they needed more open space in that area of Belmont.

Ms. Kartman, 508 Mountain View Avenue, Sterling Downs Neighborhood Association, stated she was concerned with the changes proposed in the Planning Commission letter regarding the Plaza Project. She did not think the site could support shops. She noted that shuttle buses were planned for

the future that would utilize that area for passengers to enter and exit. She pointed out that a lot of time and money was spent developing the plans for the plaza and requested that Council keep the original plan, it could be scaled down but not changed to retail.

Ms. Gandolfi, 2423 Casa Bona stated Belmont needed a long-range plan for a vision of the downtown area. She encouraged Council to think about the possibilities that would draw people to Belmont. She introduced Ruth Waters and asked Council to consider her idea.

Ms. Waters, 1870 Ralston, stated Belmont needed to design a downtown to draw people in from the region. She suggested building a major art museum in downtown Belmont and presented a conceptual drawing that was created for another project. She acknowledged it would be a difficult and expensive site but thought it would be an anchor for the community.

Ms. Steventon, 940 Emmett, stated the Carlmont Village shopping center was not a success until the nearby apartments were built. She stated the downtown area consists of single family dwellings. She stated that Belmont created the Redevelopment Agency due to a lack of public parking and still lacked parking. Ms. Steventon stated that businesses cannot thrive without adequate parking. She noted that the previous development considered for the downtown area included rents that were more expensive than Ghiradelli Square in San Francisco. She thought most people would rather go to the local shopping mall for a larger selection than to small shops.

C. Metropulos stated that Block 4 and the Plaza Project were two separate issues. He agreed that something needed to be done with Block 4. He noted that he served on the Plaza Project and stated the Historical Society thought that was the last bastion of history in Belmont. He did not have a problem placing a small kiosk in the Plaza, but not want a significant overhaul to the plan.

C. Bauer stated there was no funding for the Plaza Project presently. He noted that the Bay Area Council reviewed the areas under discussion tonight and would be reporting back. He thought the Peninsula Policy Partnership (P3) could be utilized for transit-oriented development. C. Bauer thought they could formulate something based on the downtown task force reports and the Downtown Specific Plan. He did not see the need to form a group for this. He liked the idea of comprehensive planning however he thought it would be unfair to make business that have waited 10 years to develop plans to wait even longer.

C. Wright stated it was important to separate the issues. He supported the idea of a comprehensive downtown area plan with two provisos: 1). Planning in parallel with the General Plan, he did not want to delay the General Plan. 2). Did not want to delay projects currently in the works. He thought the Art Museum was a great idea but not for that site.

C. Cook stated she liked the idea of comprehensive planning and utilizing the current downtown plans. She stated the General Plan Update was important and they could incorporate the visioning process. C. Cook stated she wanted the city to move forward with the current plan for the plaza. She suggested Ms. Waters approach the City Commissions with her idea.

C. Warden encouraged Ms. Waters to speak to community members regarding the museum. He stated that he did not have an issue with revisiting the Plaza project and was not sure that the Plaza would be utilized as currently planned. He stated that he agreed with the Planning Commission letter and encouraged them to take an active role in looking at a plan for the downtown area. He further suggested that the Planning Commission return with more specific recommendations and that the BAC and P3 data should filter through the Planning Commission.

City Manager Kersnar stated the community needed to resolve the purpose of a downtown. Option A was to serve the needs of the immediate residents or Option B a destination spot that would bring people in from the rest of the Peninsula. He noted that the current downtown plans had both goals yet they were in conflict. The current plans and process is oriented to option A. He stated that the General Plan Process would provide the opportunity to address the question of the purpose of the downtown.

City Manager Kersnar stated that staff would return in October with a detailed discussion of the workplan for the General Plan.

C. Warden stated this should be a topic for the joint City Council/Planning Commission meeting.

Community Development Director stated the big question for the General Plan will be the downtown area. The hillside/single family residences would basically look the same in 20 years.

Recess 9:55

Resume 10:02

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Discussion and Direction regarding dates for Arts Commission and Green Task Force interviews.

Council concurred to interview Art Commission Candidates on August 27 and Green Task Force Candidates on October 8th.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion regarding forming Advisory Committee between City of Belmont and Notre Dame de Namur University. (C. Warden)

The Council concurred that the City needed an official line of communication with the University and approved forming an Advisory Committee. Staff was directed to coordinate with the University and return to Council with a plan.

Ms. Maxwell Grieg, Sr. Advisor to President Oblak, Notre Dame de Namur University, 1500 Ralston Avenue, stated they gave their full support for the formation of this Committee.

ADJOURNMENT at 10:10 p.m.

This meeting was recorded and televised.

Tape No. 532

George Metropulos

Clerk Pro Tem